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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,925	08/25/2003	Donald C. Kauffman	H0005297	1955

7590

12/15/2005

Timothy Carlson
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EXAMINER

NGUYEN, DAVID Q

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/646,925	Applicant(s) KAUFFMAN ET AL.	
	Examiner David Q. Nguyen	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-26 is/are allowed.
- 6) ☒ Claim(s) 1-13 and 27-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 and 27-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Brinkley et al. (US 2003/0003872 A1).

Regarding claim 1, Brinkley et al discloses an in-flight communications system, comprising an aircraft cabin envelope including a wireless LAN (see fig. 1 and pars. 0028-0031); an ACARS security envelope that is in communication with the wireless LAN via an airborne communications management unit (CMU) (see fig. 1 and pars. 0028-0031); and a ground based security envelop that is in communication with a ground-based segment of the ACARS security envelope (see fig. 1 and pars. 0028-0031):

Regarding claims 2-3, Brinkley et al also discloses a personal digital assistant (PDA) having a wireless modem that operates in conjunction with the wireless LAN; wherein the wireless LAN supports a plurality of wireless devices (see par. 0062 and abstract).

Regarding claim 4-8, Brinkley et al also discloses wherein the ACARS security envelope comprises a data link service provider that is linked to the ground based security envelope (see fig. 1 and pars. 0028-0031); wherein an authorized user operates within the aircraft cabin

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security envelope (see fig. 1 and pars. 0028-0031); wherein the authorized user communicates with an operations center within the ground-based security envelope (see fig. 1 and pars. 0028-0031); wherein the authorized user communicates with flight deck personnel on the same aircraft (see fig. 1 and pars. 0028-0031); wherein the authorized user communicates with another Air Marshal on the same aircraft (see fig. 1 and pars. 0028-0031).

Regarding claim 9, Brinkley et al discloses an in-flight communications system, comprising a personal digital assistant (PDA) device having wireless communications capabilities (see par. 0062); an aircraft cabin wireless local area network (LAN), the PDA device being operable to be in communication with the wireless LAN (see fig. 1 and pars. 0028-0031); a communications management unit (CMU) associated with the wireless LAN and operable to send and received data via ACARS (see fig. 1 and pars. 0028-0031); and an operations center operable to receive data generated by the PDA, transmitted over the wireless LAN and passed to the operations center via ACARS (see fig. 1 and pars. 0028-0031).

Regarding claims 10-13, Brinkley et al also discloses wherein the CMU provides PDA generated data to flight deck personnel (see fig. 1 and pars. 0028-0031); wherein the PDA device is programmed with predetermined Screens (see fig. 1 and pars. 0028-0031); wherein the screens are arranged to have tap and send functionality (see fig. 1 and pars. 0028-0031); wherein the PDA device is operable to communicate with another PDA device over the wireless over the wireless LAN (see fig. 1 and pars. 0028-0031).

Regarding claim 27, Brinkley et al discloses an in-flight communications system, comprising a personal digital assistant (PDA) device having wireless communications capabilities (see fig. 1 and pars. 0028-0031); an aircraft cabin wireless local area network (LAN),

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the PDA device being operable to be in communication with the wireless LAN (see fig. 1 and pars. 0028-0031); a communications module associated with the wireless LAN and operable to send and receive data via an air-to-ground communications system (see fig. 1 and pars. 0028-0031); and an operations center operable to receive data generated by the PDA, transmitted over the wireless LAN and passed to the operations center via the air-to-ground communications system (see fig. 1 and pars. 0028-0031).

Regarding claims 28-33, Brinkley et al also discloses wherein the communications module comprises a communications management unit (CMU) (see fig. 1 and pars. 0028-0031); wherein the air-to-ground communications system comprises an ACARS (see fig. 1 and pars. 0028-0031); wherein the communications module provides PDA generated data to flight deck personnel (see fig. 1 and pars. 0028-0031); wherein the PDA device is programmed with predetermined screens (see fig. 1 and pars. 0028-0031) wherein the screens are arranged to have tap and send functionality (see fig. 1 and pars. 0028-0031); wherein the PDA device is operable to communicate with another PDA device over the wireless LAN (see fig. 1 and pars. 0028-0031).

Allowable Subject Matter

3. Claims 14-26 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 14 and 21, the closest prior arts, Brinkley et al. (US 2003/0003872A1) and John H Histt (GB 2347586A), either singularly or in combination, fail to anticipate or render obvious that a method encrypting the message to create an encrypted message; sending the encrypted message via an ACARS network; receiving the encrypted

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message at a datalink service provider; forwarding the encrypted message to an operations center; and decrypting the encrypted message to obtain the message, in combination with all other limitations in the claims as defined by applicant.

Claims 15-20 depend on claim 14. Therefore, they are allowable.

Claims 22-26 depend on claim 14. Therefore, they are allowable.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wright et al. (US 6160998) teaches wireless spread spectrum ground link-based aircraft data communication system with approach data messaging download.

Weiler et al. (US 5,970,395) teaches apparatus and method for detecting an interference radiation on board of an aircraft.

Roy (US 6677888B2) teaches secure aircraft communications addressing and reporting system.

Roy (US 2003/0030581A1) teaches secure aircraft communications addressing and reporting system.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844.

The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David Nguyen


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER